

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SHEILA BURGESS-WALLS,

Plaintiff,

v.

BROWN *et al.*,

Defendants.

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CIVIL ACTION

NO. 11-275

Order

AND NOW, this 22nd day of August 2011, upon consideration of defendants' motion to dismiss (Document No. 3) and plaintiff's brief in opposition to the motion, **IT IS HEREBY ORDERED** that

(1) defendants' motion to dismiss is **DENIED** as to Count I as to the Title VII claims of retaliation against the City, but the remainder of the motion as to Count I is **GRANTED**;

(2) defendants' motion to dismiss is **GRANTED** as to Count II;

(3) defendants' motion to dismiss is **DENIED** as to COUNT III as to the PHRA claim of retaliation occurring in November 2009 against the City, but the remainder of the motion as to Count III is **GRANTED**;

(4) defendants' motion to dismiss is **GRANTED** as to Count IV; and

(5) Lieutenant Richard Brown is **DISMISSED** as a party to this action.

s/ William H. Yohn, Jr.

William H. Yohn, Jr., Judge